

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

16 CV 7048

PLAINTIFFS

LYNN TILTON, PATRIARCH PARTNERS, LLC, PATRIARCH PARTNERS, VIII, LLC, PATRIARCH PARTNERS, XIV, LLC and PATRIARCH PARTNERS, XV, LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Randy M. Mastro
Gibson, Dunn & Crutcher LLP
200 Park Avenue, New York, NY 10166 (212) 351-4000

DEFENDANTS

SECURITIES AND EXCHANGE COMMISSION

ATTORNEYS (IF KNOWN)

Preet Bharara
United States Attorney's Office for the Southern District of New York
One St. Andrews Plaza - New York, NY 10007 (212) 637-2800

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 USC 2201 (Declaratory Judgment Action); seeking declaratory/injunctive relief to prevent due process and equal protection violations

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

		TORTS	ACTIONS UNDER STATUTES				
CONTRACT	PERSONAL INJURY	<p><input type="checkbox"/> 110 INSURANCE</p> <p><input type="checkbox"/> 120 MARINE</p> <p><input type="checkbox"/> 130 MILLER ACT</p> <p><input type="checkbox"/> 140 NEGOTIABLE INSTRUMENT</p> <p><input type="checkbox"/> 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT</p> <p><input type="checkbox"/> 151 MEDICARE ACT</p> <p><input type="checkbox"/> 152 RECOVERY OF DEFANTED STUDENT LOANS (EXCL VETERANS)</p> <p><input type="checkbox"/> 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS</p> <p><input type="checkbox"/> 160 STOCKHOLDERS SUITS</p> <p><input type="checkbox"/> 190 OTHER CONTRACT</p> <p><input type="checkbox"/> 195 CONTRACT PRODUCT LIABILITY</p> <p><input type="checkbox"/> 196 FRANCHISE</p>	<p><input type="checkbox"/> 310 AIRPLANE</p> <p><input type="checkbox"/> 315 AIRPLANE PRODUCT LIABILITY</p> <p><input type="checkbox"/> 320 ASSAULT, LIBEL & SLANDER</p> <p><input type="checkbox"/> 330 FEDERAL EMPLOYERS' LIABILITY</p> <p><input type="checkbox"/> 340 MARINE</p> <p><input type="checkbox"/> 345 MARINE PRODUCT LIABILITY</p> <p><input type="checkbox"/> 350 MOTOR VEHICLE</p> <p><input type="checkbox"/> 355 MOTOR VEHICLE PRODUCT LIABILITY</p> <p><input type="checkbox"/> 360 OTHER PERSONAL INJURY</p> <p><input type="checkbox"/> 362 PERSONAL INJURY - MED MALPRACTICE</p>	<p><input type="checkbox"/> PERSONAL INJURY</p> <p><input type="checkbox"/> 367 HEALTHCARE/ PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY</p> <p><input type="checkbox"/> 365 PERSONAL INJURY PRODUCT LIABILITY</p> <p><input type="checkbox"/> 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY</p>	<p><input type="checkbox"/> FORFEITURE/PENALTY</p> <p><input type="checkbox"/> 625 DRUG RELATED SEIZURE OF PROPERTY</p> <p><input type="checkbox"/> 21 USC 881</p> <p><input type="checkbox"/> 690 OTHER</p>	<p><input type="checkbox"/> BANKRUPTCY</p> <p><input type="checkbox"/> 422 APPEAL 28 USC 158</p> <p><input type="checkbox"/> 423 WITHDRAWAL 28 USC 157</p>	<p><input type="checkbox"/> OTHER STATUTES</p> <p><input type="checkbox"/> 375 FALSE CLAIMS</p> <p><input type="checkbox"/> 376 QUI TAM</p> <p><input type="checkbox"/> 400 STATE REAPPORTIONMENT</p> <p><input type="checkbox"/> 410 ANTITRUST</p> <p><input type="checkbox"/> 430 BANKS & BANKING</p> <p><input type="checkbox"/> 450 COMMERCE</p> <p><input type="checkbox"/> 460 DEPORTATION</p> <p><input type="checkbox"/> 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)</p> <p><input type="checkbox"/> 480 CONSUMER CREDIT</p> <p><input type="checkbox"/> 490 CABLE/SATELLITE TV</p>
	ACTIONS UNDER STATUTES		<p><input type="checkbox"/> 380 OTHER PERSONAL PROPERTY DAMAGE</p> <p><input type="checkbox"/> 385 PROPERTY DAMAGE PRODUCT LIABILITY</p>	<p><input type="checkbox"/> LABOR</p> <p><input type="checkbox"/> 710 FAIR LABOR STANDARDS ACT</p> <p><input type="checkbox"/> 720 LABOR/MGMT RELATIONS</p>	<p><input type="checkbox"/> 861 HIA (1395ff)</p> <p><input type="checkbox"/> 862 BLACK LUNG (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWV (405(g))</p> <p><input type="checkbox"/> 864 SSID TITLE XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p>	<p><input type="checkbox"/> 850 SECURITIES/ COMMODITIES/ EXCHANGE</p>	
REAL PROPERTY	CIVIL RIGHTS		<p><input type="checkbox"/> 463 ALIEN DETAINEE</p> <p><input type="checkbox"/> 510 MOTIONS TO VACATE SENTENCE</p> <p><input type="checkbox"/> 28 USC 2255</p>	<p><input type="checkbox"/> PRISONER PETITIONS</p> <p><input type="checkbox"/> 740 RAILWAY LABOR ACT</p> <p><input type="checkbox"/> 751 FAMILY MEDICAL LEAVE ACT (FMLA)</p>	<p><input type="checkbox"/> 870 TAXES (U.S. Plaintiff or Defendant)</p> <p><input type="checkbox"/> 871 IRS-THIRD PARTY</p> <p><input type="checkbox"/> 26 USC 7609</p>	<p><input type="checkbox"/> 890 OTHER STATUTORY ACTIONS</p> <p><input type="checkbox"/> 891 AGRICULTURAL ACTS</p>	
			<p><input type="checkbox"/> 530 HABEAS CORPUS</p> <p><input type="checkbox"/> 535 DEATH PENALTY</p>	<p><input type="checkbox"/> 790 OTHER LABOR LITIGATION</p>		<p><input type="checkbox"/> 893 ENVIRONMENTAL MATTERS</p> <p><input type="checkbox"/> 895 FREEDOM OF INFORMATION ACT</p>	
			<p><input type="checkbox"/> 540 MANDAMUS & OTHER</p>	<p><input type="checkbox"/> 791 EMPL RET INC SECURITY ACT (ERISA)</p>		<p><input type="checkbox"/> 896 ARBITRATION</p> <p><input type="checkbox"/> 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION</p>	
						<p><input type="checkbox"/> 950 CONSTITUTIONALITY OF STATE STATUTES</p>	

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE Richard M. Berman DOCKET NUMBER 15 CIV 357

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
			<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)			
<input type="checkbox"/> a. all parties represented						
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN X IN ONE BOX ONLY)

<input type="checkbox"/> 1 U.S. PLAINTIFF	<input checked="" type="checkbox"/> 2 U.S. DEFENDANT	<input type="checkbox"/> 3 FEDERAL QUESTION	<input type="checkbox"/> 4 DIVERSITY (U.S. NOT A PARTY)
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IF DIVERSITY, INDICATE CITIZENSHIP BELOW.**CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] 1	DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [] 5	DEF [] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6	[] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

LYNN TILTON - One Broadway, Fifth Floor, New York, NY 10004

PATRIARCH PARTNERS, LLC - One Broadway, Fifth Floor, New York, NY 10004

PATRIARCH PARTNERS, VIII, LLC - One Broadway, Fifth Floor, New York, NY 10004

PATRIARCH PARTNERS, XIV, LLC - One Broadway, Fifth Floor, New York, NY 10004

PATRIARCH PARTNERS, XV, LLC - One Broadway, Fifth Floor, New York, NY 10004

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

SECURITIES AND EXCHANGE COMMISSION - 100 F Street, NE, Washington, DC 20549

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.
 DO NOT check either box if this is a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTANSept. 9, 2016 *s/ Randy M. Mastro* Randy M. Mastro

DATE

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

[X] YES (DATE ADMITTED Mo. 10 Yr. 1982)
Attorney Bar Code #RM9492

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)